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C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 011275

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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [RS](#)  
SUBJECT: RUSSIA: NGO REGISTRATION UPDATE; DEADLINE  
EXTENSION?

REF: MOSCOW 11252

Classified By: Ambassador William J. Burns: 1.4 (b) and (d).

¶1. (C) Summary: In an October 5 conversation with Russian Deputy Foreign Minister Yakovenko, the Ambassador urged the GOR to extend an October 18 deadline for the re-registration of foreign NGOs and underscored the damage that would result from a suspension in their external programs. Yakovenko said the GOR understood, with several well-placed officials signaling that either the deadline will be extended or NGOs permitted to conduct their programming after it expires. Although many have applied or are close to applying for re-registration, as many as 27 of the 29 unregistered U.S. NGOs that the Embassy has tracked are potentially vulnerable to a suspension of activity on October 18, with high-profile human rights organizations attracting closer scrutiny. The Ambassador will continue to press for a deadline extension, and we urge Washington to repeat this message with Human Rights Ombudsman Lukin on October 11. End Summary

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GOR Shifting Gears: Deadline May Slip  
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¶2. (C) In an October 5 conversation with Deputy Foreign Minister Yakovenko, the Ambassador warned of the negative consequences for the GOR's reputation if the U.S. NGO community was shuttered on October 18. The Ambassador referred to the October 3 letter from Public Chamber President Velikhov to the Federal Registration Service, appealing for an extension in the deadline. If the GOR did not extend the deadline, the Ambassador urged the authorities to revert to FRS Movchan's prior interpretation of the NGO law, according to which programs could proceed while the registration packages were being scrutinized. Yakovenko said he understood the magnitude of the issue, undertook to get back to the Ambassador, and recognized that the first-time implementation of the law had presented bureaucratic difficulties.

¶3. (C) In meetings with U.S. officials and in separate developments over the course of the last week, there have been signals that the GOR will modify its October 18 deadline:

-- Chairwoman of the Presidential Administration's Council for Civil Society and Human Rights Ella Panfilova emphatically told the Ambassador on October 5 that "nothing would happen" on October 18, and promised that the deadline would be extended or the NGOs would otherwise be able to continue their activities (septel).

-- The October 3 letter from Public Chamber President Velikhov blamed bureaucratic impediments on the failure of prominent international NGOs to re-register and appealed for the deadline to be extended.

-- Human Rights Ombudsman Lukin shared his concerns over the implementation of the law with EUR DAS Kramer on October 4 (reftel), and noted his private endorsement of the Public Chamber initiative to extend the deadline.

-- Kremlin-connected Public Chamber Member Vyacheslav Nikonov asserted to Kramer on October 4 that the deadline would be extended or abolished; in part, he noted, because of Putin's October 20 participation in the EU-Russia summit and the desire to keep this issue off the agenda.

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U.S. NGO Registration Scorecard  
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14. (SBU) We do not have comprehensive data on the total number of U.S. NGOs required to re-register by October 18. While Federal Registration Service (FRS) officials have claimed that there are 200-500 foreign NGOs active in Russia, there is no explanation for the wide divergence in statistics and no breakdown by nationality. Also included in the FRS figures are foreign adoption agencies, with 26 American adoption agencies having successfully re-registered. While the American Chamber of Commerce (AmCham) has aggressively informed its members of the evolution in registration requirements, it does not maintain a separate list of NGOs. Instead, the Embassy has closely monitored the registration fortunes of the 29 NGOs receiving grants or sub-grants from USAID and PRM, which capture the most prominent U.S. NGOs active in Russia, in addition to non-USAID recipients Ford Foundation, Carnegie Center, and AmCham.

15. (SBU) Out of this pool of 32 NGOs, three (CIPE, Project Harmony, Ford Foundation) have been re-registered; 13 have

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submitted their registration packages as of October 6; 14 have told us that they will file within the next two weeks, with the status of two other NGOs unclear.

16. (SBU) Since the FRS has up to 30 days to review the applications, as many as 27 of the 29 unregistered U.S. NGOs potentially face a suspension of their external activities on October 18. While the FRS has promised rapid turn-around for the registration of some NGOs, including AmCham, others -- such as the more controversial National Democratic Institute -- have received no feedback since filing their applications and others, including the Charities Aid Foundation, continue to endure prolonged scrutiny by FRS officials, who remain focused on picayune details. While political sensitivities play a role in this process, so do corruption and bureaucratic incompetence. On the positive side of the ledger, many of the NGOs contacted report that interactions with the FRS in recent weeks have gone more smoothly; as well, FRS officials have agreed to answer legal questions posed by USAID and submitted by AmCham, and to post the answers on their website so as to ensure a uniform response to all NGO applicants.

17. (C) A variety of factors accounts for the late filing of most U.S. NGOs: many initially believed that October 18 was a deadline for submission, and not a drop-dead date for registration; some adopted the strategy of waiting and seeing how a larger NGO (such as Ford Foundation) fared, as a lessons-learned model; others were stymied by the bureaucratic requirements to locate and notarize founding documents and charter member death certificates, with low-level FRS officials sometimes bouncing packages on technical or specious grounds; with some of the NGOs that have not filed to date being advised by their Russian legal counsel that they have nothing to fear. Once it became clear that October 18 was a registration deadline, the Embassy -- in coordination with AmCham -- has attempted to contact all known U.S. NGOs active in Russia to encourage a rapid filing of the application packages.

18. (SBU) The results of a suspension of external activities on October 18 would, in some cases, be dramatic and contrary to the interests of GOR entities: exchange programs would grind to a halt, Financial Sector Volunteer Corps assignments to the Central Bank would cease, child welfare programs would be cut, recovery programs in the North Caucasus would shut down, and important HIV/AIDs collaboration -- including with the Ministry of Defense -- would be suspended. The cancellation of the bread and butter seminars and conferences, upon which Carnegie and others depend, would abruptly terminate high-visibility platforms for US-Russian exchanges and reverberate throughout the U.S. foreign policy establishment and Congress.

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Comment  
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19. (C) While the GOR remains committed to controlling the activities of foreign, particularly rights-based NGOs, there appears to be increasing interest in avoiding a train wreck that the suspension of activities of non-registered NGOs would cause on October 18. The Ambassador will continue to reinforce the need for an extension of the deadline with senior GOR officials, and we encourage Washington to reiterate the same message to Lukin during his October 10-12 consultations in Washington.  
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